

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Michael A. Williamson,)	C/A No.: 6:07-3665-JFA-WMC
)	
Petitioner,)	
vs.)	O R D E R
)	
Leroy Cartledge, Warden of McCormick)	
Correctional Institution,)	
)	
Respondent.)	
_____)	

The *pro se* petitioner, Michael A. Williamson, initiated this action pursuant to 28 U.S.C. § 2254 seeking relief from his jury conviction and state sentence to life imprisonment for armed robbery. Petitioner contends that trial counsel did not render effective assistance when he (1) failed to disclose and explain a conflict of interest; (2) failed to adequately investigate facts regarding the voluntariness of petitioner's confession; and (3) failed to argue the denial of petitioner's motion to suppress.

The Magistrate Judge assigned to this action¹ has prepared a comprehensive Report and Recommendation wherein he suggests that the respondent's motion for summary

¹ The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report to which specific objection is made and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

judgment² be granted because there were no constitutional violations and counsel met the reasonableness test under *Strickland v. Washington*, 466 U.S. 668 (1984). The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

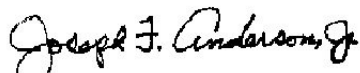
The petitioner was advised of his right to file objections to the Report and Recommendation, which was entered on the docket on July 8, 2008. He did not file objections³ to the Report.

After carefully reviewing the applicable law, the record in this case, and the Report and Recommendation, the court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. The court, therefore, adopts the recommendation of the Magistrate Judge in full and incorporates this Report by specific reference.

Accordingly, the respondent's motion for summary judgment is granted.

IT IS SO ORDERED.

August 26, 2008
Columbia, South Carolina


Joseph F. Anderson, Jr.
United States District Judge

² An order was issued pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975) notifying petitioner of the summary dismissal procedure and possible consequences if he failed to adequately respond to the motion for summary judgment. Petitioner did not respond to the motion.

³ Under 28 U.S.C. § 636(b)(1), the district court is obligated to conduct a *de novo* review of every portion of the Magistrate Judge's Report to which objections have been filed. The court reviews the Report only for clear error in the absence of an objection. See *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005). *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to timely file specific written objections to the Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985).

